

THE CORPORATION OF THE DISTRICT OF SURREY

BY-LAW NO. 11436

A by-law to dispose of portions of a public highway in exchange for adjoining lands necessary for a public highway.

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WHEREAS pursuant to Section 574(1) of the "Municipal Act", being Chapter 290, R.S.B.C., the Council may by by-law dispose of a portion of a highway in exchange for land necessary for the purpose of improving, widening, straightening, relocating or diverting a highway;

WHEREAS AMHERST ESTATES LTD. are the owners of the land described in Section 2 of this By-law and have agreed with The Corporation of the District of Surrey to make the exchange hereinafter provided for;

NOW, THEREFORE, the Municipal Council of The Corporation of the District of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Upon receiving from the said AMHERST ESTATES LTD. the conveyance or other assurance mentioned in Section 2 hereof, the Mayor and the Clerk of The Corporation of the District of Surrey are hereby authorized, in exchange therefore, to execute and deliver on behalf of The Corporation such conveyance or other assurance as may be necessary for vesting in AMHERST ESTATES LTD., ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Municipality of Surrey, in the Province of British Columbia.

Those portions of road of Section 31, Township 2, New Westminster District, dedicated on Plan 43702 as shown within the heavy outline on a plan attached hereto prepared by D.J. Dyck, British Columbia Land Surveyor, on the 18th day of August 1992, and continuing a total of 1308.1 square metres.

(Portion of 90 Avenue east of 124 Street)

2. For the purpose of acquiring adjacent lands for a public highway, The Mayor and Clerk are authorized to accept from AMHERST ESTATES LTD., in exchange for the land mentioned in Clause One (1) hereof, the sum of Twenty-Seven Thousand Three Hundred Nine Dollars (\$27,309.00), together with such conveyance or other

assurance as may be necessary to vest in the Crown as a public highway, ALL AND SINGULAR those certain parcels or tracts of lands and premises situate, lying and being in the Municipality of Surrey, in the Province of British Columbia:

All that portion of Lot 10, Section 31, Township 2, New Westminster District, Plan LMP 2901 shown hatched on a by-law plan prepared by D.J. Dyck, British Columbia Land Surveyor on the 18th day of August 1992, and containing 4.5 square metres.

(Portion of 8860 - 124A Street)

3. This By-law may be cited for all purposes as "88 Avenue/90 Avenue Road Exchange By-law, 1992, No. 11436."

PASSED THREE READINGS by the Municipal Council on the 24th day of August, 1992.

NOTICE OF INTENTION

ADVERTISED on the 2nd day of September and on the 9th day of September, 1992, in a newspaper published and circulated in the Municipality.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 14th day of September, 1992.

_____MAYOR

_____CLERK